

City Attorney's Office 2013 Budget Hearing

Department found on pages E8 – E13 in budget book

Presentation to Ways and Means/Budget Committee
September 20, 2012

Department Programs: Criminal Division

Two Programs:

- ✓ Criminal Prosecution
 - General Fund: \$7,232,318
 - FTE's: 50.5
 - Revenue:
 - \$20,000 charges for services, fees
 - \$874,000 prosecution costs collected in 2011
 - \$6.7 million criminal and traffic fines collected by District Court in 2011

Department Programs: Criminal Division

- ✓ Community Attorney
 - General Fund: \$741,946
 - Grants \$373,719 (DID and JAG)
 - FTE's: 8

Department Programs: Civil Division

Two Programs:

- ✓ Civil Litigation
 - Self Insurance Fund: \$2,794,574
 - FTE's: 19
 - Revenue: \$10,000 miscellaneous
- ✓ Client Services
 - Self Insurance Fund: \$3,468,054
 - FTE's: 22.5

Impact of Recommended Budget on Key Results: Criminal Division

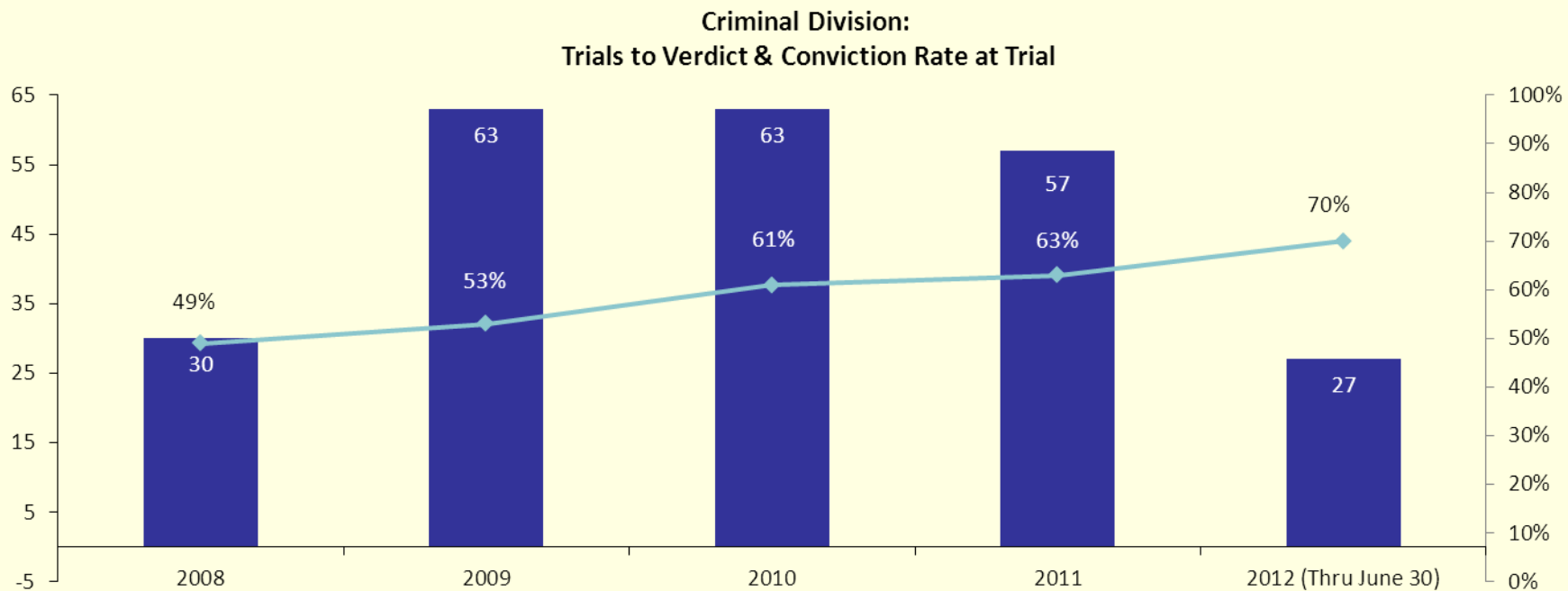
- Eliminates three positions:
 - Supervising Attorney
 - Reduced management positions by 1/3rd from 6 to 4
 - Two additional FTE's
- Domestic Violence:
 - Roll-over Funds – 2 Positions in MPD Family Violence Unit
 - VAWA Grant

Impact of Recommended Budget on Key Results: Criminal Division

■ Cumulative Impact of 2009 – 2013 Reductions:

- 7 FTE's eliminated:
 - 3 Prosecutors not replaced
 - 1 Paralegal not replaced
 - (Reduced paralegals in Community Attorney program from 5 to 3)
 - 1 File Room staff position eliminated (15% reduction)
 - Elimination of Criminal Supervising Attorney position and support staff supervisor (30% reduction)

Impact of Recommended Budget on Key Results: Criminal Division



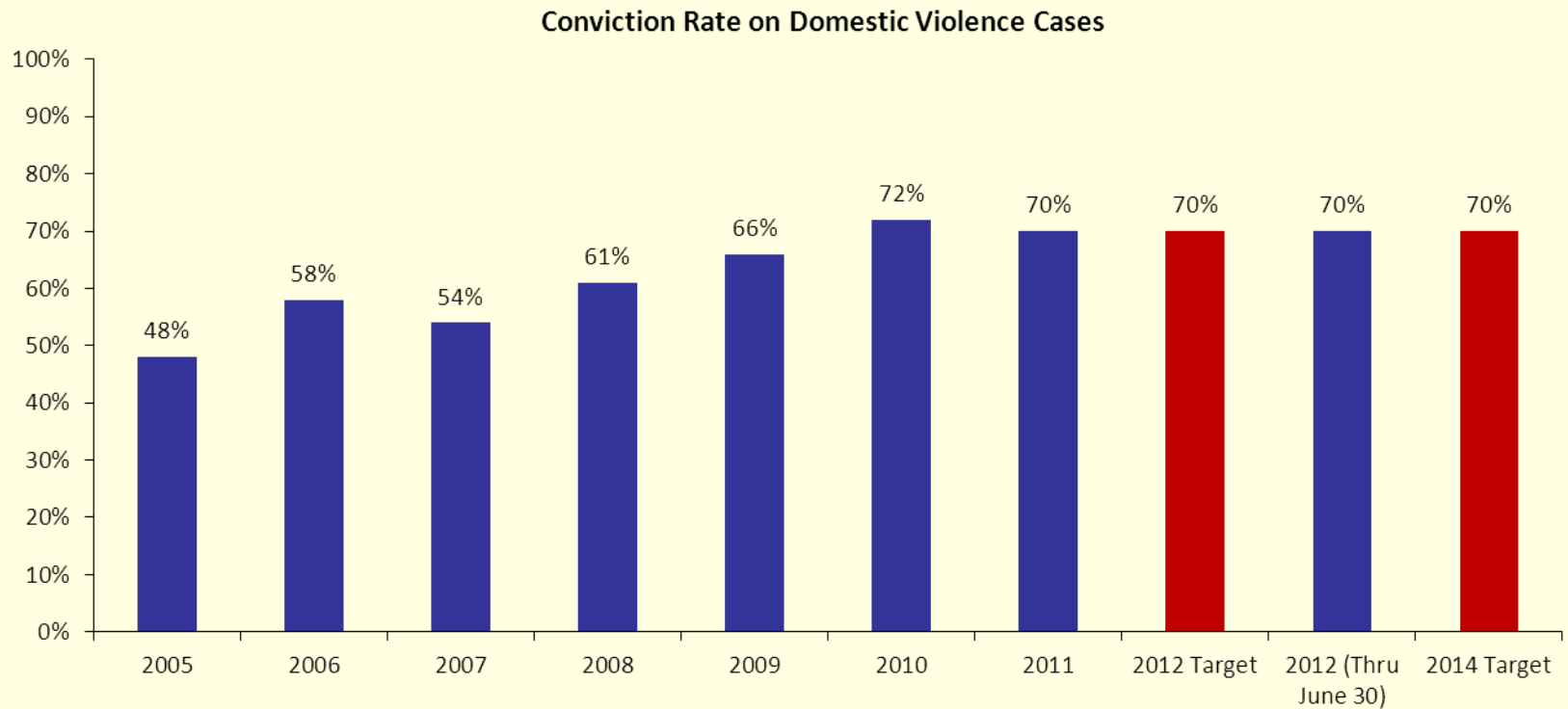
Caseload remains heavy: 1,000 per prosecutor; **Double** ABA recommended level

Impact of Recommended Budget on Key Results: Criminal Division

Appellate Results:

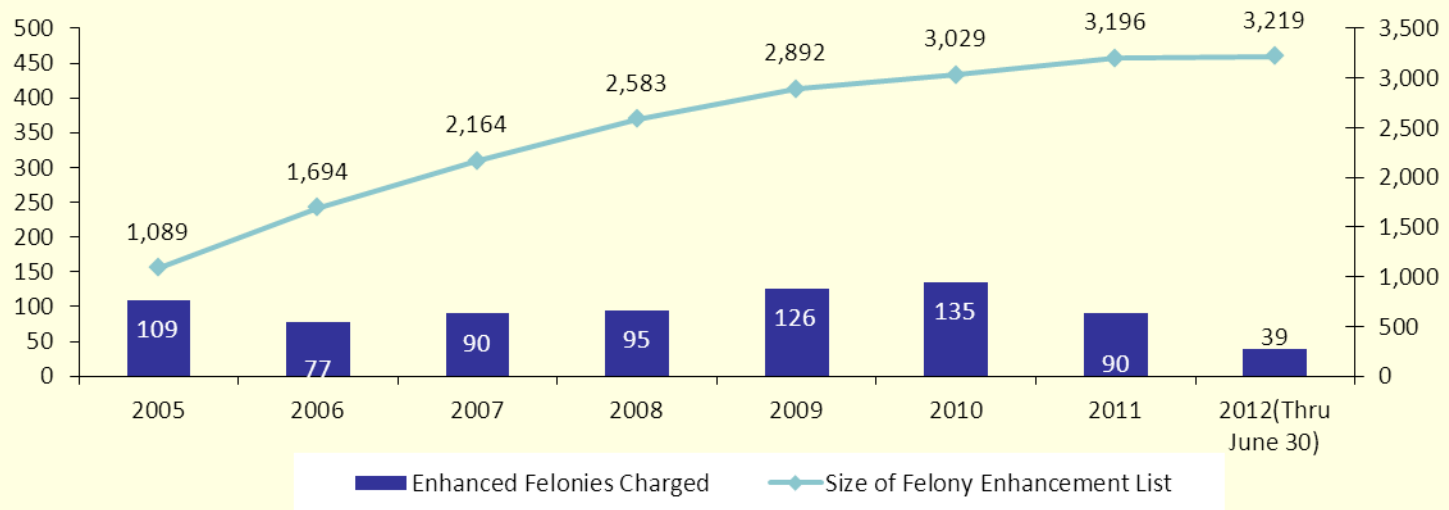
- 22 Appeals handled in 2012
- Year to Date Results:
 - 92% success rate – 11/12
 - Two Minnesota Supreme Court Victories
 - DWI Test Method
 - False Report of Crime statute held constitutional

Impact of Recommended Budget on Key Results: Criminal Division



Impact of Recommended Budget on Key Results: Criminal Division

Enhanced Domestic Violence Felonies Charged by Hennepin County after Minneapolis City Attorney's Office Referral and Number of Individuals on Felony Enhancement List (Cumulative)



Note: Since 2004, the CAO has had 865 felony level offenses charged by the Hennepin County Attorney's Office following a referral by the CAO for a case which was originally identified by MPD as a misdemeanor level offense.

Impact of Recommended Budget on Key Results: Civil Division

- Litigation Group – need additional attorneys
 - Workload: 40 active court cases and 32 administrative matters per litigator
 - >22 summary judgment motions filed YTD

Impact of Recommended Budget on Key Results: Civil Division



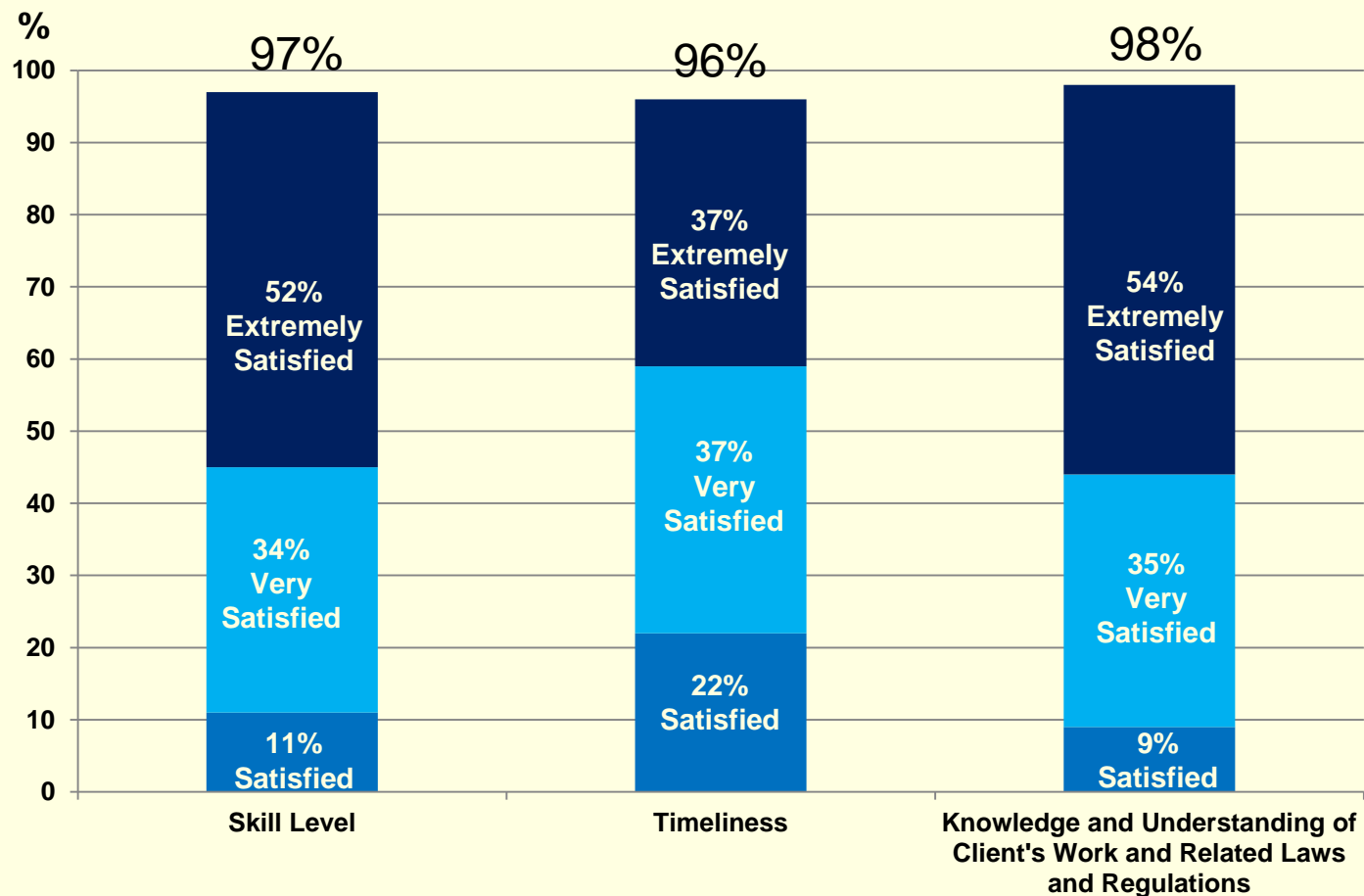
**A few files from
the Xcel Transmission Line case**

Impact of Recommended Budget on Key Results: Civil Division

- Illustration: Xcel High Voltage Transmission Line
 - Total hours in hearings (rounded) = 265 hours in hearings
 - Total hours for the Xcel matter = 1,258
 - Pages of briefs written = 41 pages post hearing brief plus numerous additional letter submissions
 - Submitted over 500 pages of written testimony
 - Six inches or more of exhibits
 - Fifteen days in trial
 - At least 6 days of other PUC hearings

Impact of Recommended Budget on Key Results: Civil Division

2011 Civil Division Survey Results (114 Respondents)



2013 Budget Planning: 5% Increase

- Criminal Division:

- Staffing: Domestic Violence – fully fund initiative
 - Restore 2 FTE's

- Civil Division:

- Staffing: Add 2 Attorneys
 - Ease litigation workload
 - Allow succession planning/ enhance client services

2013 Budget Planning: 5% Decrease

■ Criminal Division

■ Eliminate 3 to 4 Positions

- Community Attorney program (have already reduced paralegals from 5 to 3)
- Domestic Violence initiatives
- Prosecution support positions

■ Civil Division

■ Eliminate 2 to 3 Positions

- Reduction in Client Services, Risk increase in liability and/or increased use of outside counsel at a much higher cost

Recent or Planned Efficiencies

- Criminal E-discovery and E-charging
- 2 Supervisor positions
- Victim-witness BPI
- File room BPI
- Driver Diversion Program - \$300,000 in fines recovered
- Increased use of 311
- Civil litigation BPI
- Developing on-line Ethics Training

New Initiatives

- Criminal Division:
 - Downtown 100 Youth Initiative
 - Probation Officer/ Review Calendar for City-wide Chronic Offenders
 - Cedar Riverside Court Watch
 - 5th Degree Assault Initiative
 - Potential shoplifting diversion program
 - Leadership on Juvenile Sex Trafficking initiatives

New Initiatives

- Civil Division:
 - Review of PRC/ Contracting process
 - Negotiation Initiative

Criminal Division Technology Initiatives

- eCharging of Criminal Complaints
 - Phase 1 began in December 2011
 - Prior to launch, MCAO Charging Library revamped & training conducted for all staff
 - Increased efficiencies by reducing duplicative data entry and decreasing time lag between case creation and case filing with Courts
 - Phase 2 beginning in October 2012 to include eCharging of amended complaints

Criminal Division Technology Initiatives

- eDiscovery between MCAO & HCPD
 - Pilot began in June 2012 on domestic cases with full launch scheduled in October 2012
 - Increased efficiency of information sharing between agencies
 - Prior to launch, MCAO obtained scanners and dual monitors for staff to increase efficiency in electronically storing all documents related to a case

Technology Needs

- Practice Manager Next Generation & X-Aware Replacement
 - Current version of Practice Manager will soon go out of support by the vendor and integration platforms are moving to next generation (net) systems.
 - These projects will make the City Attorney's system and integrations stable, reliable and supportable for the foreseeable future
- Partially funded through project funds

Workforce Planning

- The Department has a Workforce Plan as part of the 2010-2014 Business Plan
- Objectives are included for:
 - Workforce Development
 - Succession Planning
 - Employee Survey Response
 - Diversity Strategy

Major Contracts in Departments

- Identify major contracts in your department.
 - Online Legal services
 - Hennepin County Adult Corrections
 - Outside Counsel
 - Process Service contract

Partnerships

- The CAO has strong partnership relationships

- Examples:

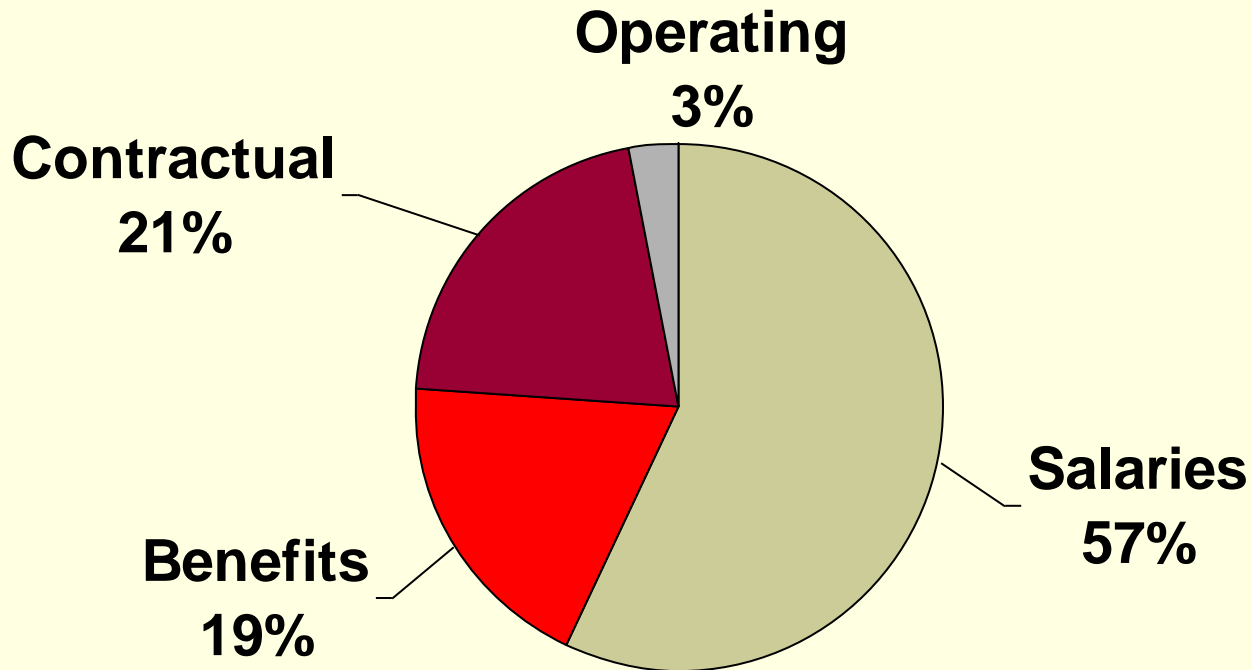
- Government partners: HCAO, District Court, County Probation

- Non-profits: domestic violence advocates, restorative justice, St. Stephen's and other providers, etc.

- Business community

- Neighborhood and community groups

Expenditures by Type (\$14.6 million)



Revenue by Type (\$115 million)

